

REMARKS

Claims 1-4, 6-19 remain in the application, claim 5 having been canceled. Independent claims 1 has been amended to include the limitations of the thermal interface material comprising less than about 10% by weight of one or more clay materials, wherein individual platelet particles of the clay have a thickness of less than 2 nm and a diameter between about 10 nm and about 3,000 nm. Support for this amendment can be found in paragraphs 37-38 of the present application, for example. Claim 15 has been amended to include the limitations of wherein the thermal interface material comprises layers of the clay, wherein an individual layer of the clay comprises a thickness of about 1 nm. Support for this amendment can be found in paragraph 42, for example. Claims 14, 16 have been amended for clarity. No new subject matter has been added with these amendments.

A. 35 U.S.C. § 103(a)

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Kang in view of Tavares-Claims 1-8, 9-13, 18-19

Claims 1-8, 9-13, 18-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable by Kang in view of Tavares.

However, independent claim 1 has been amended to include the limitations described above. “To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” In *re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Because neither Kang nor Tavares teach nor even suggest a thermal interface material comprising a polyester matrix material, a filler and a clay material wherein platelet particles of the clay have a thickness of less than 2 nm and a diameter between about 10 nm and about 3,000 nm, all of the limitations of amended claim 1, from which the other claims depend, is not rendered obvious by Kang in view of Tavares, and thus, reconsideration and withdrawal of the Section 103(a) rejection of these claims is respectfully requested.

Kang in view of Tavares, Rose-claims 14, 16

Claims 14, 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kang in view of Ross. The Office contends it would have been obvious (to which the Applicants do not concede) to employ the clay of Rose in the Kang package.

However, independent claim 1 has been amended to include the limitations described above. “To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” In *re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Because neither Kang nor Tavares or Rose not teach or even suggest the limitations of a polyester matrix, a filler and a clay material that is in addition to the filler, as in amended claim 1 (from which claims 14, 16 depend), claims 14, 16 are not rendered obvious by Kang in view of Rose and Tavares, and thus, reconsideration and withdrawal of the Section 103(a) rejection of claims 14, 16 is respectfully requested.

Kang in view of Tavares, Rose, further Furuya-claims 15, 17

Claims 15, 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kang in view of Tavares, Rose, and further Furuya. The Office contends it would have been obvious (to which the Applicants do not concede) to employ the teachings of Furuya in the package of Rose, Tavares and Kang.

However, independent claim 1 has been amended to include the limitations described above. Because neither Kang nor Tavares, Rose or Furuya teach or even suggest the limitations of amended claim 1, from which claims 15, 17 depend, claims 15, 17 are not rendered obvious by Kang in view of Tavares, Rose and Furuya, and thus, reconsideration and withdrawal of the Section 103(a) rejection of claims 15, 17 is respectfully requested.

In view of the foregoing remarks, the Applicants request allowance of the application. Please forward further communications to the address of record. If the Examiner needs to contact the below-signed Attorney to further the prosecution of the application, the contact number is (480) 715-5448.

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Respectfully submitted,
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